

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

DANIEL J. MENDELSON,

Chapter 7

Case No. 15-74407-AST

Debtor.

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**ORDER SCHEDULING HEARING ON SHORTENED NOTICE FOR ENTRY OF ORDER
AUTHORIZING AND APPROVING: (I) A PUBLIC AUCTION SALE OF 37
WOODRIDGE LANE, SEA CLIFF, NEW YORK 11579, AS IS AND WHERE IS, FREE
AND CLEAR OF ALL LIENS, CLAIMS, ENCUMBRANCES AND INTERESTS, WITH
SUCH LIENS, CLAIMS, ENCUMBRANCES AND INTERESTS TO ATTACH TO THE
NET PROCEEDS OF THE SALE; (II) APPROVING THE TERMS AND CONDITIONS
OF SALE; AND (III) GRANTING RELATED RELIEF**

Upon the motion, on shortened notice, dated May 19, 2016 (the “Motion”) of R. Kenneth Barnard, Esq., Chapter 7 Trustee (the “Trustee”), of the estate of Daniel J. Mendelsohn (the “Debtor”), by and through his attorneys, LaMonica Herbst & Maniscalco, LLP, seeking the entry of an order pursuant to, *inter alia*, §§ 105(a), 363 and 704 of Title 11 of the United States Code (the “Bankruptcy Code”) and Rules 2002, 6004, 9006 and 9014 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) authorizing and approving: (i) a public auction sale (the “Auction Sale”) of 37 Woodridge Lane, Sea Cliff, New York 11579, further identified as Section 21, Block L and Lot 95 (the “Property”), “*as is*” and “*where is*” free and clear of all liens, claims, encumbrances and interests, with such liens, claims, encumbrances and interests to attach to the net proceeds of sale; (ii) approving the proposed Terms and Conditions of Sale, copies of which are annexed to the Motion as Exhibit “A”; and (iii) granting the Trustee such other and further relief as the Court deems just and proper; and upon the Affidavit of Gary F. Herbst, Esq., pursuant to Local Bankruptcy Rule 9077-1(a); and the Court having determined that good and sufficient cause appearing therefor; it is hereby


ORDERED, that a hearing will be held before the Honorable Alan S. Trust, United States Bankruptcy Judge, at the United States Bankruptcy Court, Eastern District of New York, Alfonse M. D'Amato Federal Courthouse, 290 Federal Plaza, Courtroom 960 Central Islip, New York 11722 (the "Court") on **June 7, 2016 at 10:30 a.m.** (the "Hearing"), to consider approval of the relief sought in the Motion on shortened notice and the entry of Orders granting the relief requested; and, it is further

ORDERED, that on or before **May 23, 2016**, the Trustee shall serve copies of this Order and the Motion (including all exhibits) by first class mail: (i) the Office of the United States Trustee; (ii) the Debtor and Debtor's counsel; (iii) all known creditors of the Debtor; (iv) counsel to PHH and counsel to Kraus; (v) all persons and entities that have formally appeared and requested service in this case pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure; (vi) all known holders of Liens against the Real Property; and (vii) all governmental agencies or taxing authorities required to receive notice of proceedings under the Bankruptcy Rules, and such service shall be deemed good and sufficient notice of the hearing and the relief sought in the Motion and no further notice is required, and, it is further

ORDERED, that proof of service in accordance with this Order shall be filed prior to the Hearing.

Dated: May 20, 2016
Central Islip, New York




Alan S. Trust
United States Bankruptcy Judge